

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

<b>PAMELA JEAN SMITH and</b>	)	
<b>JOHNNIE SMITH,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>VS.</b>	)	<b>No. _____</b>
	)	<b>JURY DEMAND</b>
<b>WAL-MART STORES EAST, L.P.,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

Defendant Wal-Mart Stores East, LP, hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against it: Pamela Jean Smith and Johnnie Smith v. Wal-Mart Stores East, L.P., in the Circuit Court of Claiborne County, Tennessee, No. 1213. Copies of the summons and the complaint are attached as Exhibits A and B, respectively. According to the complaint, Plaintiffs are citizens and residents of the State of Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. Defendant may be referred to as “Wal-Mart” in this document.

Defendant Wal-Mart Stores East, LP, is a Delaware limited partnership. WSE Management, LLC, a Delaware limited liability company, is the general partner, and WSE Investment, LLC, a Delaware limited liability company, is the limited partner. The sole member of WSE Management, LLC, and WSE Investment, LLC, is Wal-Mart Stores East, LLC, fka Wal-Mart Stores East, Inc., an Arkansas limited liability company. Wal-Mart Stores East, Inc., was converted to an Arkansas limited liability company on January 25, 2011. Wal-Mart Stores East, Inc.’s parent company is Wal-Mart Stores, Inc., a Delaware corporation. The principal place of business for all entities mentioned is 702 SW 8th Street, Bentonville, Arkansas.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the  
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parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. The complaint seeks a judgment against the Defendant “for compensatory damages in an amount determined to be fair and appropriate by a jury of her peers, in an amount not to exceed \$200,000.”

Defendant Wal-Mart Stores East, LP, was served with process on August 13, 2014. Fewer than thirty days have expired since service of process on Defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court of Claiborne County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northern Division, and requests that the proceedings be held thereon.

s/Meredith Hiester

G. Andrew Rowlett, No. 16277

Meredith Hiester, No. 30183

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Attorneys for Defendant

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was electronically filed with the Court, and should therefore be sent via the Court's electronic filing system to:

Joseph J. Bond, Esq.  
HODGES, DOUGHTY & CARSON  
617 Main Street  
P. O. Box 869  
Knoxville, TN 37901-0869  
[jbond@hdclaw.com](mailto:jbond@hdclaw.com)

on this the 12<sup>th</sup> day of September, 2014.

s/ Meredith Hiester

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